

ORIGINAL HOUSE
BILL NO. HB0103

ENROLLED ACT NO. 26, HOUSE OF REPRESENTATIVES

SIXTY-FIFTH LEGISLATURE OF THE STATE OF WYOMING
2020 BUDGET SESSION

AN ACT relating to chancery courts; amending provisions related to the chancery court of the state of Wyoming; clarifying disposition of fees; clarifying the jurisdiction of the chancery court as specified; making technical corrections; making conforming amendments; and providing for an effective date.

Be It Enacted by the Legislature of the State of Wyoming:

Section 1. W.S. 5-13-102(a), 5-13-109(a)(ii) and (iii) and 5-13-115(b)(vii), (xiii), (xiv), by creating a new paragraph (xvi), (c) and (d) are amended to read:

5-13-102. Chancery court fund account created; purposes.

(a) There is created an account entitled "the chancery court account." ~~The~~ chancery court account shall receive all filing fees received by the chancery court. Any interest accruing to the account shall be retained in the account and may be expended for the purposes provided in this section. No funds shall be expended from the account until the legislature appropriates the funds. Funds within the account shall be used for the purpose of funding operation of the chancery courts, including judicial salaries, staff salaries, supplies, operating costs and other expenses of the chancery court.

5-13-109. Temporary assignment to fill vacancies; appointments to fill vacancies in office.

(a) Prior to the appointment of a chancery court judge under subsection (b) of this section or in the event a chancery court judge appointed under W.S. 5-13-107 dies,

ORIGINAL HOUSE
BILL NO. HB0103

ENROLLED ACT NO. 26, HOUSE OF REPRESENTATIVES

SIXTY-FIFTH LEGISLATURE OF THE STATE OF WYOMING
2020 BUDGET SESSION

becomes unable or unwilling to perform the duties of his office, the supreme court may temporarily assign the duties of chancery court judge to be performed by a person who meets the qualifications set forth in W.S. 5-13-108. Any assignment shall be made to:

(ii) A retired district court ~~justice~~ judge; or

(iii) A member of a panel of up to five (5) active district court judges selected by the supreme court to serve as a chancery court judge on an ad hoc basis.

5-13-115. Purpose and jurisdiction.

(b) The chancery court shall have jurisdiction to hear and decide actions for equitable or declaratory relief and for actions where the prayer for money recovery is an amount exceeding fifty thousand dollars (\$50,000.00), exclusive of claims for punitive or exemplary damages, prejudgment or post judgment interest, costs and attorney fees provided the cause of action arises from at least one (1) of the following:

(vii) Shareholder derivative actions. The monetary threshold set forth in this subsection ~~(b) of this section~~ shall not apply to ~~action~~ actions brought under this paragraph;

(xiii) Dissolution of corporations, partnerships, limited liability companies, limited liability partnerships, joint ventures, banks and trust companies. The monetary threshold ~~of~~ set forth in this subsection ~~(b) of this section~~ shall not apply to ~~action~~ actions brought under this paragraph;

ORIGINAL HOUSE
BILL NO. HB0103

ENROLLED ACT NO. 26, HOUSE OF REPRESENTATIVES

SIXTY-FIFTH LEGISLATURE OF THE STATE OF WYOMING
2020 BUDGET SESSION

(xiv) Transactions governed by the Wyoming Uniform Trust Code; ~~or~~

(xvi) A dispute concerning a trademark, trade name or service mark. The monetary threshold set forth in this subsection shall not apply to actions brought under this paragraph.

(c) The chancery court ~~shall have no~~ may exercise supplemental ancillary jurisdiction over any cause of action not listed in subsection (b) of this section at the discretion of the chancery court.

(d) All chancery court judges throughout the state shall have concurrent jurisdiction with all district court judges throughout the state only as to the causes of action enumerated in subsection (b) of this section and to the causes of action for which the chancery court exercises supplemental ancillary jurisdiction under subsection (c) of this section.

ORIGINAL HOUSE
BILL NO. HB0103

ENROLLED ACT NO. 26, HOUSE OF REPRESENTATIVES

SIXTY-FIFTH LEGISLATURE OF THE STATE OF WYOMING
2020 BUDGET SESSION

Section 2. This act is effective immediately upon completion of all acts necessary for a bill to become law as provided by Article 4, Section 8 of the Wyoming Constitution.

(END)

Speaker of the House

President of the Senate

Governor

TIME APPROVED: _____

DATE APPROVED: _____

I hereby certify that this act originated in the House.

Chief Clerk